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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

**Cung Le, Nathan Quarry, Jon Fitch, on behalf of
themselves and all others similarly situated,**

Plaintiffs,

v.

**Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,**

Defendant.

**Luis Javier Vazquez and Dennis Lloyd Hallman,
on behalf of themselves and all others similarly
situated,**

Plaintiffs,

v.

**Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,**

Defendant.

**Brandon Vera and Pablo Garza, on behalf of
themselves and all others similarly situated,**

Plaintiffs,

v.

**Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,**

Defendant.

Case No. 5:14-cv-05484-EJD
5:14-cv-05591-EJD
5:14-cv-05621-EJD

**DECLARATION OF JOSEPH R. SAVERI IN
SUPPORT OF MOTION TO APPOINT
INTERIM CO-LEAD CLASS COUNSEL**

Case No. 5:14-cv-05484-EJD
Case No. 5:14-cv-05591-EJD
Case No. 5:14-cv-05621-EJD

1 I, Joseph R. Saveri, declare:

2 1. I am the Founding Partner of the Joseph Saveri Law Firm, Inc. (“JSLF”). I am an attorney
3 of record in these related matters for Plaintiffs Le, Quarry, Fitch, Vazquez, Hallman, Vera, Garza,
4 Ruediger, and Danzig, and a member in good standing with the State Bar of California. I submit this
5 Declaration in support of Plaintiffs’ Motion to Appoint Interim Co-Lead Class Counsel. I am a member of
6 the California Bar in good standing and am admitted to practice before this Court. I have personal
7 knowledge of the matters stated herein, and if called to testified I could and would do so competently.

8 2. Pursuant to Fed. R. Civ. P. 23(g), Plaintiffs seek approval of a class leadership that includes
9 appointment of JSLF as Interim Co-Lead Class Counsel. JSLF, in conjunction with Berger & Montague,
10 P.C. and by Cohen Milstein Sellers & Toll PLLC (with JSLF, “Proposed Interim Co-Lead Class
11 Counsel”) worked with Plaintiffs and their other attorneys, to conduct an extensive factual and legal
12 analysis of the market for elite mixed martial art (“MMA”) athletes, including control of the elite MMA
13 market and oppressive tactics adopted by Defendant, Zuffa, LLC, d/b/a Ultimate Fighting Championship
14 and UFC (“UFC”). Proposed Interim Co-Lead Class Counsel and their staff spent hundreds of hours
15 researching the bases for, and drafting, the three Complaints in the matters of *Le, et al. v. Zuffa, LLC*,
16 *d/b/a Ultimate Fighting Championship and UFC*, No. 5:14-cv-05484-EJD; *Vasquez, et al. v. Zuffa, LLC*,
17 *d/b/a Ultimate Fighting Championship and UFC*, No. 5:14-cv-05591-EJD; and *Vera, et al. v. Zuffa, LLC*,
18 *d/b/a Ultimate Fighting Championship and UFC*, No. 5:14-cv-05621-EJD (collectively, the “Complaints”).

19 3. In developing the *Le*, *Vasquez*, and *Vera* Complaints, Proposed Interim Co-Lead Class
20 Counsel worked closely with Robert Maysey of Warner Angle Hallam Jackson & Formanek, PLC
21 (“Warner Angle”). As explained in further detail in **Exhibit 1**, which is a true and correct copy of Mr.
22 Maysey’s Warner Angle profile, Mr. Maysey has represented figures and otherwise been involved in the
23 elite MMA industry for over ten years.

24 4. The Complaints have generated media interests. Attached as **Exhibit 2** is a true and
25 correct copy of an article from ESPN’s website concerning the Le complaint, which was downloaded at
26 my direction from the following address: [http://espn.go.com/mma/story/_/id/12037883/antitrust-](http://espn.go.com/mma/story/_/id/12037883/antitrust-lawsuit-filed-ufc-parent-company-claims-monopoly)
27 [lawsuit-filed-ufc-parent-company-claims-monopoly](http://espn.go.com/mma/story/_/id/12037883/antitrust-lawsuit-filed-ufc-parent-company-claims-monopoly). Attached as **Exhibit 3** is a true and correct copy of an
28 article from Sports Illustrated’s website concerning this litigation, which was downloaded at my direction

1 from the following address: <http://www.si.com/mma/2014/12/16/ufc-antitrust-lawsuit-cung-le>.

2 5. JSLF attorneys coordinated with attorneys for Gabe Ruediger and Mac Danzig, including
3 Jay Cohen of Spector Roseman Kodroff & Willis, P.C. to file *Ruediger, et al. v. Zuffa, LLC*, Case No. 5:15-
4 cv-00521-NC (N.D. Cal.), on February 4, 2015. Proposed Interim Co-Lead Class Counsel have
5 committed to coordinating with Mr. Ruediger and Mr. Danzig's attorneys moving forward.

6 6. Attached hereto as **Exhibits 4 and 5** are true and correct copies of articles concerning
7 other litigation involving the UFC that were downloaded at my direction from the following websites:
8 <https://torrentfreak.com/ufc-pirate-apologizes-settles-following-32m-lawsuit-140913/>,
9 [https://www.techdirt.com/articles/20120320/10225718173/ufc-makes-awful-decision-to-sue-some-its-](https://www.techdirt.com/articles/20120320/10225718173/ufc-makes-awful-decision-to-sue-some-its-biggest-fans.shtml)
10 [biggest-fans.shtml](https://www.techdirt.com/articles/20120320/10225718173/ufc-makes-awful-decision-to-sue-some-its-biggest-fans.shtml).

11 7. As part of their work on the *Le, Vasquez, Vera*, and *Ruediger* matters, Proposed Interim Co-
12 Lead Class Counsel served the Complaints, summons and related materials on UFC. Subsequently,
13 Proposed Interim Co-Lead Class Counsel negotiated a stipulation providing for an orderly briefing
14 schedule for responsive pleadings or motions to be filed by the UFC. *See* Dkt. 28.

15 8. Proposed Interim Co-Lead Class Counsel have served third-party subpoenas on Twitter,
16 Inc. and Google, Inc., in order to preserve all potentially relevant evidence. These measures are part of
17 Plaintiffs' investigation of whether there has been deletion of social media by persons affiliated with UFC.

18 9. Proposed Interim Co-Lead Class Counsel, in conjunction with Plaintiffs' other attorneys,
19 have taken measures to protect Plaintiffs' interests in connection with the UFC's disclosure of Plaintiffs
20 Le, Quarry, Fitch, Vasquez, Hallman, Vera, and Garza's social security numbers, which the UFC made
21 public for five days because of its failure to redact exhibits to a declaration from one of their in-house
22 attorneys that was submitted with the UFC's motion to transfer. Proposed Interim Co-Lead Class
23 Counsel informed the UFC of the disclosure as soon as they learned of it, so that the exhibits would be
24 promptly removed. The next morning, February 4, the UFC moved to have the exhibits removed from the
25 Court's public docket, and the Court ordered their removal that same day. *See* Dkt. 45. On February 5,
26 Proposed Interim Co-Lead Class Counsel demanded that, *inter alia*, the UFC (1) explain how the
27 information was disclosed, so that Plaintiffs can be sure it will not happen again; (2) search the public
28 domain for copies of the exhibits and ensure their removal; (3) investigate whether the information has

1 been used; (4) pay for seven years of credit monitoring for each of Messrs. Le, Fitch, Quarry, Garza, Vera,
 2 Hallman, and Vazquez, and agree to reimburse these individuals for all consequential damages, if any,
 3 flowing from the improper disclosure of this information. On February 6, the UFC responded by letter,
 4 providing an explanation for the transmission, and updated Proposed Interim Co-Lead Class Counsel on
 5 its investigation of the consequences of the transmission. UFC sent Proposed Interim Co-Lead Class
 6 Counsel another letter on February 12, providing an additional update. Proposed Interim Co-Lead Class
 7 Counsel are evaluating the UFC's responses, and are considering what legal remedies, if any, should be
 8 pursued on Plaintiffs' behalf.

9 10. Proposed Interim Co-Lead Class Counsel drafted a proposed Stipulated Protective Order
 10 along the lines of the model promulgated by the Northern District of California. Plaintiffs provided their
 11 draft to the UFC for comment on February 5, 2012. On February 12, the UFC responded with a draft
 12 making a number of changes. Plaintiffs are evaluating the UFC's version of the Stipulated Protective
 13 Order.

14 11. To integrate the *Le*, *Vasquez*, *Vera*, and *Ruediger* matters, and streamline this litigation,
 15 Proposed Interim Co-Lead Class Counsel promptly sought to relate the *Vasquez* and *Vera* matters to the
 16 *Le* Complaint, resulting in the three cases currently assigned to the Court. *See* Dkt. 18-19. Proposed
 17 Interim Co-Lead Class Counsel have also sought to relate the *Ruediger* matter. *See* Dkt. 49. Proposed
 18 Interim Co-Lead Class Counsel filed a motion to consolidate these four matters on February 10, 2015. *See*
 19 Dkt. 52. Proposed Interim Co-Lead Class Counsel discussed case management issues with the UFC's
 20 counsel in some detail, and obtained counsel for the UFC's agreement on nearly all terms of the
 21 [Proposed] Case Management Order submitted with the Motion to Consolidate, except that the UFC
 22 wanted consolidation to be for all purposes, while Plaintiffs had requested that consolidation be limited to
 23 pre-trial proceedings for the time being. *See* Dkt. 48-1 at ¶5. Proposed Interim Co-Lead Class Counsel
 24 have divided the work among Plaintiffs' attorneys to ensure efficient and non-duplicative practices, and
 25 have continuously communicated with Plaintiffs' other attorneys.

26 12. On February 3, 2015, Proposed Interim Co-Lead Counsel submitted a motion to appoint
 27 interim co-lead class counsel by the Court's administrative motion procedure. Proposed Interim Co-Lead
 28 Counsel did so in the interests of efficiency, and because Proposed Interim Co-Lead Class Counsel had no

1 reason to believe that a motion to appoint counsel would be opposed.

2 13. As is explained in further detail in **Exhibit 6**, which is a true and correct copy of a firm
3 resume maintained by JSLF describing the firm's experience and expertise, JSLF is qualified to prosecute
4 Plaintiffs' antitrust claims. Additional information regarding the firm, its experience, and its credentials
5 can be found on the JSLF website, www.saverilawfirm.com. JSLF has the personnel and the financial
6 resources to commit to this litigation.

7 I declare under penalty of perjury under the laws of the United States and the State of California
8 that the foregoing is true and correct to the best of my knowledge and that this declaration was executed
9 in San Francisco, California on February 13, 2015.

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12 /s/ Joseph R. Saveri
13 Joseph R. Saveri
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